

REMARKS

The USPTO issued on office action dated October 19, 2004 in respect to the above entitled application. This office action was a final office action. Applicant is making this amendment and arguments which are believed to place the application into condition for allowance.

In respect to the rejection of claim 11 under 35 USC 112, applicant has added the antecedent basis for the limitation of a deactivating means in this claims. This recitation is taken from the parent claim 9. Applicant apologizes for this oversight.

In respect to dependent claims 13-14 and 27, claims 13 and 27 have been amended into their indicated allowable independent form.

In respect to the objections of claims 1-10, 12, 15-16, 18-24, 26, and 34 under 35 USC 102(b) as being anticipated by Larson U.S. 2,339,415, three independent claims 1, 18, and 34 were rejected based on Larson. Applicant has amended two of these pertinent independent claims 1 and 18 to recite "said mechanical actuator being wholly on the first side of the rotational axis of the rotary shaft." It is believed that this recitation distinguishes over the cited Larson reference wherein the substantially semi circular brake lever 55 extends over or straddled the combined brake and drive shaft

15 (fig 3; pg 2 col 2 lns 8-12). This additional recitation to claims 1 and 18 covers all of the Larson rejected claims except claim 34. In order to facilitate allowance, applicant has voluntarily cancelled claims 34 in order to place the application into condition for allowance without appeal.

In respect to the rejections of claims 33 and 34 as being anticipated under 35 USC 102(b) by Cox U.S. Patent 2,328,619, applicant has voluntarily cancelled these claims 33 and 34 in order to place the application into condition for allowance without appeal.

In respect to the rejections of claims 1-10, 12, 15-24, 26, 28-29, and 31 under 35 USC 103(a) as being unpatentable over Cox, applicant respectfully requests the examiner's reconsideration of this rejection.

Independent claims 1, 18, and 28 all recite that a cavity is "displaced from said friction surface in respect to the longitudinal length of the rotational axis of the shaft" (independent claims 1, 18, 28). Cox contains a series of specific teachings that the overall width of the brake is the same as the distance between outer edges of the brake shoes (pg 2 col 2 lns 5-7; figs 2, 4). This is said to produce a brake which is much smaller than would be possible if the actuating mechanism was positioned so that the brake would have a greater overall length than the distance between the outer edges of the

brake shoes (pg 2 col 2 lns 7-12). Since the Cox reference in particular specifically teaches that the cavity should not be displaced from the friction surface, it is believed that the Cox reference could not be said to render a displacement obvious as suggested by the examiner because the modification would directly contradict in the cited reference. Applicant, therefore, urges that the claims 1, 18, and 28 together with the claims dependent thereon are allowable over the Cox reference and requests the examiner's reconsideration of the rejection. Again, claims 33 and 34 have been voluntarily cancelled in order to place the application into condition for allowance without appeal.

The above is believed to place the application into condition for allowance. Favorable action is solicited.

Respectfully submitted,

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